

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

PROPHET LERAJJAREAN RA-O-
KEL-LY,

Plaintiff,

vs.

ED LESTER, et al.,

Defendants.

CV 16-53-BU-BMM

ORDER

Plaintiff Prophet Lerajjarean Ra-O-Kel-Ly, appearing pro se, filed a Complaint and a motion to proceed in forma pauperis on October 11, 2016. (Doc. 1). Plaintiff was a prisoner at the Butte-Silver Bow Detention Center on October 11, 2016. Plaintiff's incarceration at that the Butte-Silver Bow Detention Center ended sometime before December 7, 2016. (Doc. 3 at 2). Plaintiff did not inform the Court of his new address.

United States Magistrate Judge Jeremiah C. Lynch issued an Order on December 7, 2016, directing Plaintiff to inform the Court of his new address. (Doc. 3 at 4). The United States Postal Service returned Judge Lynch's Order to the Court on December 13, 2016, as "not deliverable." (Doc. 4). Judge Lynch issued Findings and Recommendations in this matter on February 17, 2017. (Doc. 5). Judge Lynch recommended that this case be dismissed without prejudice

pursuant to L.R. 5.2(b) given that Plaintiff had failed to inform the Court of his new address. (Doc. 5 at 3).

The Court has reviewed Judge Lynch's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Lynch's Findings and Recommendations, and adopts them in full.

Accordingly, IT IS ORDERED:

1. Plaintiff's Complaint (Doc. 1) is DISMISSED without prejudice under Local Rule 5.2(b).
2. The Clerk is directed to enter judgment accordingly.

DATED this 20th day of March, 2017.



Brian Morris
United States District Court Judge